

**LANCASTER COUNTY SHERIFF'S OFFICE**  
WILLIFORD L. FAILE, SHERIFF  
LANCASTER, SOUTH CAROLINA 29721

July 22, 1994

RECEIVED

AUG 1 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECURITY

The Honorable Reed E. Hundt, Chairman  
Federal Communications Commission  
1919 M Street, NW  
Washington, D.C. 20554

Re: CC Docket No. 92-77 Opposition to Billed Party Preference

Dear Chairman Hundt:

We are opposed to the application of Billed Party Preference (BPP) at inmate facilities.

We have analyzed the security and administration needs at our facility and have found it to be necessary to route inmate calls from our facility to a single carrier that is equipped to handle inmate calls and with whom we have a contractual relationship. We cannot allow inmates to have open access to the telecommunications network and the freedom to use any carrier they please. BPP will take away our right to coordinate inmate calls through a carrier we know and trust. Instead, inmate calls will be routed to a number of different carriers, none of whom will have any obligation to us, and few that will be trained to handle inmate calls.

We have also found it necessary to install phone equipment that is specifically designed for inmate calls. This equipment helps prevent fraud, abusive calls, and other criminal activity over the telephone network. Given the constant budgetary constraints that we are under, we cannot afford to provide this equipment without the help of inmate phone service providers. BPP would also eliminate the revenue stream that finances our inmate phones. If BPP is applied to inmate facilities, there will be no way for us to finance these phones, nor will there be inmate phone service providers to assist us. Without inmate phones, the morale of our inmates will be devastated. The resulting increase in tension will make it more difficult for our staff to manage inmates.

Furthermore, we are sensitive to the rates inmate families pay for calls. We fully appreciate the FCC's concern if some Sheriffs do not take responsibility for protecting inmate families from abusive rates. We do not agree with the FCC atht the solution for this lack of responsibility is BPP. The proper and more effective action would be to adopt rate ceilings on inmate calls and then let Sheriffs enforce these rate ceilings through their contracts. Indeed we believe the overwhelming majority of Sheriffs are committed to requiring rates that are fair and reasonable.

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In short BPP would take away our ability to employ important security and administrative measures that we have found to be necessary at our facility, ultimately reducing inmate phone availability, which in turn decreases the efficiency of our staff. We urge you to not adopt regulations that interfere with our administrative and security decisions. Decisions that are clearly within our discretion and which we have a public responsibility to make.

Respectfully submitted,



Williford L. Faile  
Sheriff  
Lancaster County Detention Center  
P. O. Box 908  
Lancaster, S. C. 29721

CC: The Honorable James H. Zuello  
The Honorable Rachelle B. Chong  
The Honorable Andrew C. Barrett  
The Honorable Susan Ness

DOCKET FILE COPY ORIGINAL  
Mary R. Guzman  
4411 Callaghan Rd #911  
San Antonio, TX 78228

July 20, 1994

The Honorable Rachelle Chong  
Federal Communications Commission  
1919 M Street NW  
Washington DC 20554

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Dear Representative Chong:

As both an employee in the communications industry and a tax paying citizen, I am stating my strong **opposition** to *Billed Party Preference (BPP)* for 0+ Calls. Further, I respectfully request your support in ensuring that Communications Commission Docket 92-77 is defeated.

Confinement facilities are unique and, as such, they require specialized phone system equipment. These systems permit a facility to block an inmate's call to specific numbers, block undesired inbound calls, prevent three-way calling and, overall, reduce fraud and other criminal activity. All of these capabilities are inherent in the equipment which means that, for the most part, intervention by administrative personnel is not required and that the maintenance of security is not jeopardized.

A highly competitive market dictates that the technically sophisticated equipment be installed at little or no cost to the facility and that the provider's commissions be paid to the facility. The commissions facilities receive are a major source of revenue for the inmate welfare funds which finance inmate programs such as family visitation, education and rehabilitation programs. Thus, many of the positive aspects of incarceration are actually being paid for by the inmates.

Succinctly put, most, if not all, of the positive factors derived from the current way of doing business will be discarded if Billed Party Preference becomes a reality. The industry would be going back to the period prior to 1987 when few correctional facilities in the country were paid commissions and many had to pay for their inmate phone service. From a financial point of view, it could be a disaster. Local telephone and long distance companies would no longer have to pay commissions because there would be no competition. Without commissions, facilities would have to turn to their governing body and taxpayers and compete for already scarce resources. Inmate morale funding would be decreased and attended by an increase in inmate control problems. Who would pay for the inmate phone equipment necessary to control calls and prevent fraud and abuse? Again, facilities would have to turn to government sources. Cutting existing programs or increasing taxes would be the requirement to balance budgets. With inmate populations growing at rates estimated from 10 to 15 percent per year, inmate populations could increase by 40 percent by the end of the century. This, of course, will mandate an increase in the number of facilities and manpower to administer them. More inmates and facilities will necessitate more non-revenue producing inmate phone systems if BPP were approved for correctional facilities.

I appeal for your support in **defeating Communications Commission Docket 92-77** with the saying, "If it ain't broke, don't fix it!" Even though inmate phone service is not perfect, a competitive market helps ensure that improvement continues.

Sincerely,  


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13327 Blinn Drive  
San Antonio, TX 78249

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The Honorable Rachelle Chong  
Federal Communications Commission  
1919 M Street NW  
Washington DC 20554

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Sincerely,



Roland S. Berg

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DONALD B. VAELLO  
12000 CROWN POINT DRIVE  
SAN ANTONIO, TEXAS 78233

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July 20, 1994

The Honorable Rachelle Chong  
Federal Communications Commission  
1919 M Street NW  
Washington DC 20554

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CC 9a-77

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SHERIFF AND CORONER

# COUNTY OF SANTA CRUZ

ALFRED F. NOREN  
SHERIFF-CORONER

701 OCEAN ST., RM. 340  
SANTA CRUZ, CALIFORNIA 95060  
PHONE (408) ~~425-2095~~ 454-2964  
IN REPLY PLEASE REFER  
TO OUR FILE \_\_\_\_\_

July 22, 1994

The Honorable Rachelle B. Chong  
Federal Communications Commission  
1919 M Street NW  
Washington, DC 20554

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AUG 1 1994  
FEDERAL COMMUNICATIONS COMMISSION

Dear Ms. Chong:

As Sheriff-Coroner of Santa Cruz County and responsible for administering the local jail system, I am asking that the Federal Communications Commission exclude local jails from the proposed Billed Party Preference System.

Prior to the emergence of inmate phone service, we had a continuing problem with telephone fraud and inmates calling their victims and in some cases judges. Local jails cannot afford a sophisticated phone system with the ability to monitor phone calls and prevent such untoward activity without inmate phone service providers.

While I understand the Commission's desire to mitigate costs for this country's citizenry, the number of calls relating to jails is small by comparison to other phone systems the Commission is concerned with. Having victims and witnesses free from intimidation and harassment is certainly of paramount importance to the citizens.

While the cost to inmate and family may exceed that of normal calls, one must take into account the fact that inmates are in custody by reason of our justice system and their own actions. Some are pre-trial, many are serving sentences, and the very actions that brought them into custody invite a loss of some privileges.

Another issue is one of economics for correctional providers. We receive a portion of the costs charged for inmate phone calls and by state law these monies are restricted solely for the benefit of the inmates. These funds don't come directly from the taxpayer yet they provide Friends Outside, commissary benefits, and a variety of vocational and academic programs to hopefully preclude inmates' re-entry into the criminal justice system.

Additionally, if the present jail phone providers are eliminated by the Commission's action, that action will in effect reduce the communications ability of the individual inmates. I truly believe that inmate phone systems should be excluded from the Billed Party Preference program and ask that your Commission seriously consider such exclusion.

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Sincerely,

*Alfred F. Noren*  
ALFRED F. NOREN, Sheriff-Coroner

EDWARD J. TAYLOR, JR.

July 20, 1994

14310 Fox Fire Lane  
San Antonio, Texas 78231  
Home: (512) 493-9815

The Honorable Rachele Chong  
Federal Communications Commission  
1919 M Street NW  
Washington DC 20554

AUG 1 1994

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Sincerely,



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NORA Bymer  
192 Prosperity  
San Antonio TX  
78237

July 20, 1994

The Honorable Rachelle Chong  
Federal Communications Commission  
1919 M Street NW  
Washington DC 20554

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Sincerely,

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\_\_\_\_\_

*Nora Bymer*

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Sally Wilge  
10951 Laureate Dr. #108  
San Antonio, TX 78249

July 20, 1994

The Honorable Rachelle Chong  
Federal Communications Commission  
1919 M Street NW  
Washington DC 20554

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Sincerely,

Sally Wilge

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PATSY B FARIAS  
610 E. ASHLEY RD.  
SAN ANTONIO TX  
78221

July 20, 1994

The Honorable Rachelle Chong  
Federal Communications Commission  
1919 M Street NW  
Washington DC 20554

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834 Spring Park  
San Antonio, Tx.

78227

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Federal Communications Commission  
1919 M Street NW  
Washington DC 20554

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Sincerely, *Steve Perez Jr.*  
*Steve Perez*

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# Elk County Prison

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P.O. BOX 448  
COURTHOUSE  
RIDGWAY, PA 15853-0448

PHONE: (814) 776-5342  
FAX: (814) 776-5379  
Warden: Paul Rearick

July 27, 1994

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AUG 1 1994  
FEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D.C.

The Honorable Rachelle B. Chong  
Federal Communications Commission  
1919 M Street, NW  
Washington, D.C. 20554

Re: CC Docket No. 92-77 Opposition to Billed Party Preference

Dear Ms. Chong:

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Futhermore, we are sensitive to the rates inmate families pay for calls. We fully appreciate the FCC's concern if some Sheriffs do not take responsibility for protecting inmate families from abusive rates. We do not agree with the FCC that the solution for this lack of responsibility is BPP. The proper and more effective action would be to adopt rate ceilings on inmate calls and then let Sheriffs enforce these rate ceilings through their contracts. Indeed we believe the over whelming majority of Sheriffs are committed to requiring rates that are fair and resonable.

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Respectfully submitted,



Paul Rearick, Warden  
Elk County Prison  
PO Box 448  
Ridgway, PA 15853

Marilyn Henderson  
326 Weathercock  
San Antonio, TX 78239

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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20541

July 20, 1994

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Federal Communications Commission  
1919 M Street NW  
Washington DC 20554

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Sincerely,

*Marilyn Henderson*

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AUG 1 1994

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20541

July 20, 1994

*J. Garza*  
2333 Hecker  
San Antonio, TX 78210

The Honorable Rachelle Chong  
Federal Communications Commission  
1919 M Street NW  
Washington DC 20554

Dear Representative Chong:

As both an employee in the communications industry and a tax paying citizen, I am stating my strong **opposition** to *Billed Party Preference (BPP)* for 0+ Calls. Further, I respectfully request your support in ensuring that Communications Commission Docket 92-77 is defeated.

Confinement facilities are unique and, as such, they require specialized phone system equipment. These systems permit a facility to block an inmate's call to specific numbers, block undesired inbound calls, prevent three-way calling and, overall, reduce fraud and other criminal activity. All of these capabilities are inherent in the equipment which means that, for the most part, intervention by administrative personnel is not required and that the maintenance of security is not jeopardized.

A highly competitive market dictates that the technically sophisticated equipment be installed at little or no cost to the facility and that the provider's commissions be paid to the facility. The commissions facilities receive are a major source of revenue for the inmate welfare funds which finance inmate programs such as family visitation, education and rehabilitation programs. Thus, many of the positive aspects of incarceration are actually being paid for by the inmates.

Succinctly put, most, if not all, of the positive factors derived from the current way of doing business will be discarded if Billed Party Preference becomes a reality. The industry would be going back to the period prior to 1987 when few correctional facilities in the country were paid commissions and many had to pay for their inmate phone service. From a financial point of view, it could be a disaster. Local telephone and long distance companies would no longer have to pay commissions because there would be no competition. Without commissions, facilities would have to turn to their governing body and taxpayers and compete for already scarce resources. Inmate morale funding would be decreased and attended by an increase in inmate control problems. Who would pay for the inmate phone equipment necessary to control calls and prevent fraud and abuse? Again, facilities would have to turn to government sources. Cutting existing programs or increasing taxes would be the requirement to balance budgets. With inmate populations growing at rates estimated from 10 to 15 percent per year, inmate populations could increase by 40 percent by the end of the century. This, of course, will mandate an increase in the number of facilities and manpower to administer them. More inmates and facilities will necessitate more non-revenue producing inmate phone systems if BPP were approved for correctional facilities.

I appeal for your support in **defeating Communications Commission Docket 92-77** with the saying, "If it ain't broke, don't fix it!" Even though inmate phone service is not perfect, a competitive market helps ensure that improvement continues.

Sincerely, *J. Garza*

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**Dee Dee Bernal**

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**5314 Pecan Valley Drive  
San Antonio, TX 78223**

July 20, 1994

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AUG 1 1994

The Honorable Rachelle Chong  
Federal Communications Commission  
1919 M Street NW  
Washington DC 20554

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

Dear Representative Chong:

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Sincerely,



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W. R. Breitenkamp

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5723 Pine Country  
San Antonio, TX 78247

July 20, 1994

The Honorable Rachelle Chong  
Federal Communications Commission  
1919 M Street NW  
Washington DC 20554

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FEDERAL COMMUNICATIONS COMMISSION

Dear Representative Chong:

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AUG 1 1994

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20541

July 20, 1994

The Honorable Rachelle Chong  
Federal Communications Commission  
1919 M Street NW  
Washington DC 20554

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Sincerely,

*Gene Stimmitt*

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**Barbara Winstead**

DOCKET FILE COPY ORIGINAL

**97 Plaza Drive  
Universal City, TX 78148**

July 20, 1994

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AUG 1 1994

The Honorable Rachelle Chong  
Federal Communications Commission  
1919 M Street NW  
Washington DC 20554

Dear Representative Chong:

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Sincerely,

*Barbara Winstead*

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

July 20, 1994

*J. Hays*  
2333 Heitz Ave  
San Antonio, TX 78200

The Honorable Andrew Barrett  
Federal Communications Commission  
1919 M Street NW  
Washington DC 20554

Dear Representative Barrett:

As both an employee in the communications industry and a tax paying citizen, I am stating my strong **opposition** to *Billed Party Preference (BPP)* for 0+ Calls. Further, I respectfully request your support in ensuring that Communications Commission Docket 92-77 is defeated.

Confinement facilities are unique and, as such, they require specialized phone system equipment. These systems permit a facility to block an inmate's call to specific numbers, block undesired inbound calls, prevent three-way calling and, overall, reduce fraud and other criminal activity. All of these capabilities are inherent in the equipment which means that, for the most part, intervention by administrative personnel is not required and that the maintenance of security is not jeopardized.

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Sincerely,

*J. Hays*

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**Sheriff**  
Jack McCrea



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WILLIAMSBURG COUNTY SHERIFF'S DEPARTMENT

July 25, 1994 **AUG 1 1994**

The Honorable Reed Hundt  
Federal Communications Commission  
1919 M. Street, N. W.  
Washington, D. C. 20554

RE: Billed Party Preference  
cc Docket No. 92-77

Dear Chairman Hundt:

We are apposed to Billed Party Preference (BPP) at inmate facilities for the following reasons:

1. Open access to any telecommunication network would adversely affect our current ability to control fraud, abuse and unwanted activity as well as administration and security.
2. Revenues currently received through contract are used to benefit the inmate population. Loss would preclude these benefits due to tight budget constraints in an economically depressed rural county.
3. Rate ceiling would do more to protect families than BPP. We too are concerned about family cost.
4. Our current system allows use of security and administrative measures which we doubt could be achieved through BPP. These measures are in place for a reason. It allows us to meet our responsibilities to the public and the families of inmates.

We sincerely urge your understanding of the adverse impact that BPP will have on jail facilities everywhere.

Respectfully,

George Turner, Jr.  
Jail Administrator  
Williamsburg County Jail  
207 S. Jackson St.  
Kingstree, S. C. 29556

Copy to: Commissioners  
APCC Task Force

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# SHERIFF'S DEPARTMENT

Richard Nutting  
Sheriff-Coroner

Michael M. Costa  
Assistant Sheriff

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AUG 1 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

July 20, 1994

The Honorable Reed E. Hundt  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: Billed Party Preference; CC Docket No. 92-77

Dear Commissioner Hundt:

As Jail Commander of the Tuolumne County Jail, Sonora, California, I am requesting that the Federal Communications Commission exclude local jails from the proposed "Billed Party Preference" system for 0+ Inter LATA payphone traffic rules.

Under B.P.P., the Tuolumne County Jail would be losing the ability to monitor telephone calls during investigations and would likely lose the ability to block calls to protect victims and witnesses from intimidation. Families could also be protected from unwanted calls and harassment. At the present time, several inmates have restraining orders issued by the courts which prohibits them from making telephone calls. Without the ability to control the jail's inmate telephones, the jail would be in violation of a court order.

The elimination of commissions received from Pacific Bell would greatly effect a host of unfunded mandates. California jails have Inmate Welfare Funds which are established by the Penal Code. The welfare funds are used for programs and services solely for the inmates. Telephone commissions are the primary source of revenue for the Inmate Welfare Fund. Many of these programs and services are mandated by law and the courts, primarily the Federal courts. The elimination of commission revenues would force us to use funds from extremely tight budgets to pay for these mandates.

The services and programs provided by the Inmate Welfare Fund includes Adult Education through an on site computer lab, G.E.D. programs, basic literacy training, substance abuse and family counseling, religious services and more. Even basics such as supplying indigent inmates with personal hygiene supplies and letter writing material is provided by the welfare fund.

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Billed Party Preference con't.

Before any decision is made, please consider the dramatic and adverse impact on California's jails if they are not excluded from the Billed Party Preference System.

Sincerely,

**RICHARD NUTTING, SHERIFF-CORONER**

A handwritten signature in black ink, appearing to read "James Childers". The signature is fluid and cursive, with a large initial "J" and "C".

Lt. James N. Childers  
Jail Commander



OFFICE 804-493-8066  
FAX 804-493-8715

DOCKET FILE COPY ORIGINAL  
*Charles W. Jackson, Sheriff*

*Westmoreland County*

*P.O. Box 305*

*Montross, Virginia 22520*

*July 22, 1994*



RES. 804-493-8895

*The Honorable Reed E. Hundt, Chairman  
Federal Communications Commission  
1919 M. Street, N.W.  
Washington, D. C. 20554*

*Re: CC Docket No. 97-77 Operations to Billed Party Preference*

*Dear Chairman Hundt:*

*We are opposed to the application of Billed Party Preference (BPP) at inmate facilities.*

*We have analyzed the security and administration needs at our facility and have found it to be necessary to route inmate calls and with whom we have a contractual relationship. We cannot allow inmates to have open access to the telecommunications network and the freedom to use any carrier they please. BPP will take away our right to coordinate inmate calls through a carrier we know and trust. Instead, inmate calls will be routed to a number of different carriers, none of whom will have any obligation to us, and few that will be trained to handle inmate calls.*

*We have also found it necessary to instal phone equipment that is specifically designed for inmate calls. This equipment helps prevent fraud, abusive calls, and other criminal activity over the telephone network. Given the constant budgetary constraints that we are under, we cannot afford to provide this equipment without the help of inmate phone service providers. BPP would also eliminate the revenue stream that finances our inmate phones. If BPP is applied to inmate facilities, there will be no way for us to finance these phones, nor will there be inmate phone service providers to assist us. Without inmate phones, the morale of our inmates will be devastated. The resulting increase in tension will make it more difficult for our staff to manage inmates.*

*Furthermore, we are sensitive to the rates families pay for calls. We fully appreciate the FCC's concern if some Sheriffs do not take responsibility for protecting inmate families from abusive rates. We do not agree with the FCC that the solution for this lack of responsibility is BPP. The proper and more effective action would be to adopt rate ceilings on inmate calls and then let Sheriffs enforce these rate ceilings through their contracts. Indeed we believe the overwhelming majority of Sheriffs are committed to requiring rates that are fair and*

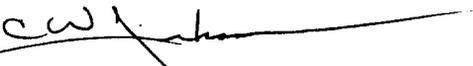
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The Honorable Reed E. Hundt, Chairman  
July 22, 1994  
Page 2

reasonable.

*In short, BPP would take away our ability to employ important security and administrative measures that we have found to be necessary at our facility, ultimately reducing inmate phone availability, which in turn decreases the efficiency of our staff. We urge you to not adopt regulations that interfere with our administrative and security decisions--decisions that are clearly within our discretion and which we have a public responsibility to make.*

Respectfully submitted,

  
C. W. Jackson  
Sheriff

cc: The Honorable James H. Quello  
The Honorable Rachelle B. Chong  
The Honorable Andrew C. Barrett  
The Honorable Susan Ness